



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,332	07/18/2003	Steven M. Kaye	F-661	4827

7590 08/15/2007
Pitney Bowes Inc.
Intellectual Property & Technology Law Department
35 Waterview Drive
P. O. Box 3000
Shelton, CT 06484

EXAMINER

THERIAULT, STEVEN B

ART UNIT	PAPER NUMBER
----------	--------------

2179

MAIL DATE	DELIVERY MODE
-----------	---------------

08/15/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/622,332

Applicant(s)

KAYE ET AL.

Examiner

Steven B. Theriault

Art Unit

2179

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 06 August 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.


WEILUN LO
SUPERVISORY PATENT EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because: The applicant's request for reconsideration has been carefully reviewed and is not persuasive for the following reasons: The examiner refers to MPEP 2123 and 2144.01 that states that a reference is relevant to all that it contains and that would be suggested to one of ordinary skill in the art. While the Examiner refers to certain sections in the rejection, the disclosure contains several sections of the same embodiment that further teach features of the invention. The applicant has presented arguments that are of a similar rationale as argued in the final office action mailed 06/18/2007. For the sake of brevity, the previous argument responses are incorporated into this advisory and the applicant has not presented any amendments or arguments that place the claims in a better form or simplify the issues for appeal. The applicant argues that they have defined as user profile to indicate the disabilities of a person and that the prior art of Mathews does not include the feature. MPEP 2111 states, the Examiner in analyzing claims are to interpret the claims in light of the specification but are to not read limitations of the specification into the claims. Several other sections of the MPEP discuss the topic. In this case, the Independent claims do not recite a specific definition of a user profile that would include checking for a user disabilities. While the specification may include a definition, the Examiner has used a broad and reasonable interpretation of a user profile. Perhaps to clarify the claimed user profile from the generally accepted broader meaning of a "user profile" the applicant can amend the independent claims to include the feature. User profiles can be interpreted to include passwords, software preferences, history, heuristics, device capabilities, presence information, account data, and numerous other meta or data attributes. The claims as recited are broad and include all definitions of what one of ordinary skill in the art would consider a user profile. For example, the known mechanism of UAProf/CC profile along with the RDF framwarok supported by the W3C.org website provide ample prior art teachings of using user profiles. Turning to other arguments, Mathews discloses in several other sections as stated in the final rejection (See page 2-3) the use of a user profile that is interpreted as tailoring the profile and using the profile to support the interaction with the help service (See Para 0204 and 0205 and See Para 0096, 0113, 0123 and 0213). Mathews discloses tailoring the product kit to the user device, which can include numerous device types (0096). Further Mathews teaches the use of helper software that can be used and installed to help the user with the requests of the helper (See Para 0123). Mathews teaches the video conferencing software is tailored with a helper object that allows certain features on the interface to be enabled or disabled, which can include more features if the user requires more assistance (113). Finally, Mathews expressly discloses the use of a "Share my screen" feature where the helper can access the users desktop to provide support and therefore depending on the users skill set the helper or tech support can perform the function regardless of the users skill (See 0096). Thus, the Examiner interprets Mathews as providing the feature for receiving a request from a person to a remote bureau, checking the user profile of the person, receiving a video uplink of the person and providing interactive assistance from the tech support to the person where the user sees the visual image of the person and is provides assistance based on the users profile and visual image and equipment profile, as recited in the claims..